

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

JOHN P. ANDERSON,  
Plaintiff,

v.

JACK DURAN, et al.,  
Defendants.

Case No. [13-cv-04825-RS](#)

**ORDER DENYING REQUEST TO  
TAKE JUDICIAL NOTICE**

Defendants Reggie Lewis, Chance Alberta, Carl Bushman, Irene Waltz, Lynn Chenot, David Castillo, and Melvin Espe, individually and on behalf of the Tribal entities the Picayune Rancheria of the Chukchansi Indians, Chukchansi Economic Development Authority, and the Chukchansi Indians Housing Authority, have submitted a Request for Judicial Notice of certain facts and public documents, particularly the 2014 Mediation Agreement. The request is denied. Rule 408 of the Federal Rules of Evidence provides that evidence of conduct or statements made during settlement negotiations is not admissible either to prove or disprove the validity of a disputed claim, subject to certain exceptions. Defendants have not set forth any permissible use of this evidence. Their request is therefore denied as the proffered material is inadmissible under the Federal Rules of Evidence.

**IT IS SO ORDERED.**

Dated: September 16, 2014

  
RICHARD SEEBORG  
United States District Judge